

**REMARKS**

As a preliminary matter, the undersigned thanks the Examiner for the courtesy of the interview conducted on 01/30/2007. Applicants concur with the characterization of the interview as reflected in the the Interview Summary prepared by the Examiner on 01/30/2007.

**SUPPORT FOR CLAIMS:**

Claims 48 and 61 (corresponding to cancelled claims 1 and 22 as originally presented) are supported by the specification and claims 1 and 22 (respectively) as originally filed. Applicants' specification at page 10, lines 12-17 discloses the term "unsaponifiable materials" to mean "compositions that comprise at least 6% by weight of total organic materials that are unsaponifiable and at least 10% by weight of organic materials that are saponifiable [...] includ[ing] compositions containing from 6-90% by weight of organics of unsaponifiable materials and 10-94% by weight of saponifiable materials". Additionally, jojoba oil is described as having an unsaponifiable fraction corresponding to about 45% in the table at page 11 of the specification as originally filed. Accordingly, no new matter has been introduced in this regard.

Applicants' specification at page 13, line 28 thru page 14, line 1 explains that "products from the [saponification] reaction of organic material that produce unsaponifiables comprise[...] polar hydrophilic salts (saponifiables) [...] and] non-polar, lipophilic materials (unsaponifiables)". Accordingly, no new matter has been introduced in this regard.

Applicants' respectfully request that the Examiner note that the presentation of claims 48 and 61 (as amended) further delineate and clarify Applicants' invention; specifically, that an original organic starting material (e.g., jojoba oil) is subjected to a saponification (e.g., caustic hydrolysis) reaction to produce polar hydrophilic salts as a product of the formulation reaction itself without requiring mixing or blending with externally supplied non-polar, lipophilic materials as taught in the references of record. As previously discussed, the 'in place' production of polar hydrophilic salts in the composition of the present invention is a differentiator of Applicants'

technology from that taught or otherwise disclosed in the references of record. See Applicants' specification at page 8, lines 14-18: "It has been found that the application of hydrolysis to materials, particularly naturally derived materials, with a high unsaponifiables fraction (e.g., at least 6% by total weight of the material) in combination with a saponifiable fraction produces a Hydrolysate with properties that are significantly different from those products resulting from [...] conventional saponification".

### **CONCLUSION**


Claims 48, 49, 53, 57, 59, 61, 62, 66, 70, 71 and 72 are pending in the Application. Allowance of all pending claims is earnestly requested.

No amendment made herein was related to the statutory requirements of patentability unless expressly stated; rather any amendment not so identified may be considered as directed *inter alia* to clarification of the structure and/or function of the invention and Applicants' best mode for practicing the same. Additionally, no amendment made herein was presented for the purpose of narrowing the scope of any claim, unless Applicants have argued that such amendment was made to distinguish over a particular reference or combination of references. Furthermore, no election to pursue a particular line of argument was made herein at the expense of precluding or otherwise impeding Applicants from raising alternative lines of argument later during prosecution. Applicants' failure to affirmatively assert specific arguments is not intended to be construed as an admission to any particular point raised by the Examiner.

Should the Examiner have any questions regarding this Response and Amendment or feel that a telephone call to the undersigned would be helpful to advance prosecution of this matter, the Examiner is invited to call the undersigned at the number given below.

Respectfully submitted,  
ATTORNEY FOR APPLICANTS

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